

W.P.(MD)No.22863 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.08.2025

CORAM:

THE HONOURABLE **MR.JUSTICE SHAMIM AHMED**

W.P.(MD)No. 22863 of 2025

and

W.M.P.(MD)Nos.17933 and 17934 of 2025

1.Sreeram Rajasekar @ K.R.Shriram,
S/o.Rajasekar.

2.C.Akila,
W/o.Rajasekar
Both residing at
Sri Villa – 265, 9th Cross,
Vasan Valley, Vayalur Road,
Tiruchirappalli – 620 102.

...Petitioners

Vs

1.Union of India,
Represented by Secretary,
Ministry of Communications,
Dak Bhawan, Sansad Marg,
New Delhi – 110 001.

2.Senior Superintendent of Post Offices,
Tiruchirappalli Division,
Tiruchirappalli – 620 001.

3.Post Master,
Somarasampettai Post Office (620 102),
No.23, Rajiv Gandhi Nagar,
Kumaravayalur,
Tiruchirappalli – 620 102.

...Respondents



W.P.(MD)No.22863 of 2025

WEB COPY

Prayer:- Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari and Mandamus, calling for the records pertaining to the impugned order passed by the 2nd Respondent in No.SB/Comp.Dlgs/25-26/TR at Tiruchirappalli 620 001 dated 30.06.2025 and quash the same, and consequently permit the Petitioner to preclose the TD Account NSS 020131651222 at Somarasampettai Post Office 620 102 with the deposit of Rs.15,00,000/- along with interest and costs.

For Petitioners : Mr.B.E.Ashwin Bala Someshwerar

For Respondents : Mr.K.Govindarajan
Deputy Solicitor General of India
Assisted by,
Mr.S.Mariappan
Central Government Standing Counsel

ORDER

Heard Mr.B.E.Ashwin Bala Someshwerar learned counsel appearing through video conferencing from Chennai for the petitioners and Mr.K.Govindarajan, learned Deputy Solicitor General of India for the respondents.



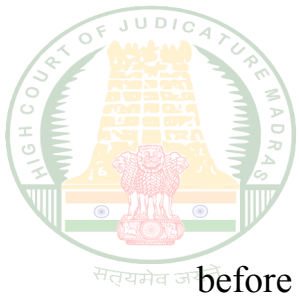
W.P.(MD)No.22863 of 2025

WEB COPY

2.This Writ Petition has been filed with the following prayer:-

“Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for records pertaining to the impugned order passed by the 2nd respondent in No. SB/Comp.Dlgs/25-26/TR at Tiruchirappalli 620 001 dated 30.06.2025 and quash the same and consequently permit the petitioner to preclose the TD Account NSS 020131651222 at Somarasampettai Post Office 620102 with the deposit of Rs.15,00,000/- along with interest and costs and pass such other or further orders as this Honble Court may deem fit and proper in the circumstances of this case and thus render justice.”

3.Mr.B.E.Ashwin Bala Someshwerar learned counsel for the petitioners appearing through video conferencing from Chennai submits that the petitioners had opened a TD Account bearing Account No.TD Account NSS 020131651222 in the name of the second petitioner at the third respondent Post Office with a deposit of Rs.15,00,000/-on the terms and conditions prevailing then as per indiapost.gov.in/Financial/Pages/Content/Post-Office-Saving-Schemes.aspx, wherein as per Clause (e)(i), No deposit shall be withdrawn



W.P.(MD)No.22863 of 2025

WEB COPY

before the expiry of six months from the date of deposit, content of which is based on the National Savings Time Deposit Scheme 2019 published in G.S.R.922(E), dated 12.12.2019.

4.It was further submitted that in the application for opening of the account, the second petitioner was required to give an undertaking to abide by the scheme provisions and Government Savings Promotion Rules, 2018, applicable on the scheme and amendments issued by the thereto from time to time, for which details are available at <https://www.indiapost.gov.in/VAS/Pages/RTI/RTI-Manual-5.aspx>, which contains voluminous documents and as a man ordinary prudence the petitioners were given to understand that deposit could be prematurely closed after 6 months and hence the deposit was made after going through the same.

5.After the elapse of 6 months, on 29.04.2025, the petitioners approached the third respondent/Postmaster, Somarasampettai Post Office, Tiruchirappalli, for premature closure and had also submitted a form for the same on 30.04.2025. However, to the petitioners' shock and surprise,



W.P.(MD)No.22863 of 2025

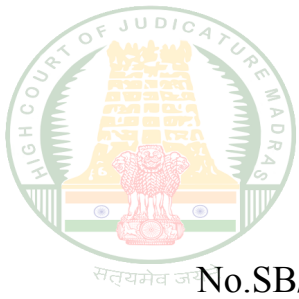
WEB COPY

they were informed that the request for premature closure could not processed for the reason that there is a lock-in-period.

6.Under these circumstances, on behalf of the second petitioner, the first petitioner who is the son of the second Petitioner, was constrained to raise grievances in CPGRAM with receipt No. DOEAF/E/2025/0000458 dated 31.05.2025, which was also forwarded to the Secretary, Department of Economic Affairs.

7.On 02.06.2025, the Postmaster General, Central Region, Tiruchirappalli 620 001, was directed to take action on the grievances raised by the petitioners. On 17.06.2025, the Assistant Director, National Saving Institute, had directed the Chief Post Master General, Tamilnadu Circle, to take action on the petitioners' grievances. Since there was no response, the petitioners sent an email dated 30.06.2025 seeking an update and time line on the grievance redressal.

8.On 01.07.2025, the Senior Superintendent of Post Office, Tiruchirappalli Division had issued the reply in



W.P.(MD)No.22863 of 2025

No.SB/Comp.Dlgs/25-26/TR at Tiruchirappalli 620001 dated 30.06.2025

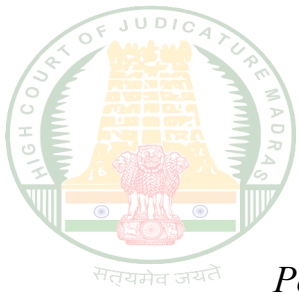
WEB COPY

through email, rejecting the petitioners' request for premature closure on the ground that 5 year-TD account cannot be prematurely closed till completion of four years from the date of deposit, as per SB Order 22/2023 dated 14.11.2023 issued by the Ministry of Communications, Department of Posts (FS Division). Hence, the present writ petition has been filed for the relief stated supra.

9.This Court, vide order dated 21.08.2025, had passed the following order:-

“Heard Mr.B.E.Ashwin Bala Someshwerar, learned counsel appearing for the Petitioners and Mr.K.Govindarajan, learned Deputy Solicitor General of India, assisted by Mr.S.Mariappan, learned Central Government Standing Counsel, who accepts notice on behalf of the Respondents.

2. This Writ Petition has been filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari and Mandamus, calling for the records pertaining to the impugned order passed by the 2nd Respondent in No.SB/Comp.Dlgs/25-26/TR at Tiruchirappalli 620 001 dated 30.06.2025 and quash the same, and consequently permit the



W.P.(MD)No.22863 of 2025

WEB COPY

Petitioner to pre-close the TD Account NSS 020131651222 at Somarasampettai Post Office 620 102 with the deposit of Rs. 15,00,000/- along with interest and costs.

3. When the matter came up for admission, Mr.K.Govindarajan, learned Deputy Solicitor General of India, appeared before this Court and assisted in the present case. He submitted that he would seek instructions from the 4th Respondent as to why the amount has not been credited to the account of the holder, Mrs.C.Akila/2nd Respondent, despite a request having been made for urgent need and to close the TD Account with the deposit of Rs.15,00,000/-.

4. Mr.B.E.Ashwin Bala Someshwerar, learned counsel for the Petitioners has no objection to the prayer made by the learned Deputy Solicitor General of India.

5. Accordingly, Mrs.C.Akila/2nd petitioner is directed to appear in person before this Court on 25.08.2025, along with the original passbook, to verify her claim and its authenticity.

*6. Put up this case on **25.08.2025** "For Orders."*

10.Today, when the matter is being taken up, Mr.K.Govindarajan, learned Deputy Solicitor General of India for the respondents has produced a copy of the Notification issued by the Joint Secretary, dated 02.12.2019, which is now taken on record, in which, at paragraph No.8, the procedure



W.P.(MD)No.22863 of 2025

for premature closure of account has been given. The same reads as under:-

WEB COPY

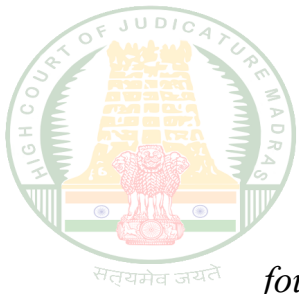
“8.Premature closure of account:- *Premature closure of an account shall be allowed on an application by the account holder in Form-4, subject to the following conditions, namely:-*

(a) no deposit shall be withdrawn before the expiry of six months from the date of deposit;

(b) where a deposit in a one-year, two-year, three-year or five-year account is withdrawn prematurely after six months, but before the expiry of one year from the date of deposit, interest shall be payable to the account holder at the rate applicable to Post Office Savings Account for the completed months;

(c) where a deposit in a two-year, three year or five year account is withdrawn prematurely after the expiry of one year from the date of deposit, interest on such deposit shall be payable to the account holder for the completed years and months, commencing on the date of deposit and ending with the date of withdrawal, and such interest shall be calculated at the rate which shall be less by two per cent points than the rate specified for a deposit of one-year, two-year or three-year, as the case may be and interest for the completed year shall be calculated on quarterly compounding basis in accordance with the provisions of paragraph 7, and for any part of a year, interest shall be payable as per provision of sub-paragraph (b):

Provided that if a five year Time Deposit account is closed after



W.P.(MD)No.22863 of 2025

WEB COPY

four years from the date of deposit, rate admissible for three-year "Time Deposit account shall be applicable for calculation of interest under this paragraph;

(d) any interest already paid on the deposit under paragraph 7 shall be recovered from the amount of repayment of deposit and the interest payable under this paragraph."

11. Thereafter, some amendment has also been made on the ground that the depositor may not hide from paying the tax on the deposited amount.

12. Mr. K. Govindarajan, learned Deputy Solicitor General of India for the respondents further submits that as per the case set up by the petitioners in the present writ petition and also considering the hardships of the second petitioner, Mrs. C. Akila, a positive direction may be given to the third respondent/Postmaster, Somarasampetti Post Office (620102), No.23, Rajiv Gandhi Nagar, Kumaravayalur, Tiruchirappalli 620 102 to credit the aforesaid amount of Rs.15,00,000/- deposited by the second petitioner in the savings bank account of the second petitioner along with interest as applicable, as the case is exceptional one.



W.P.(MD)No.22863 of 2025

WEB COPY

13.In compliance of the order passed by this Court dated 21.08.2025 in W.P.(MD) No.22863 of 2025, the petitioners, namely, Sreeram Rajasekar @ K.R.Shriram and C.Akila are present in person before this Court today along with the original Passbook of the Post Office, Somarasampettai. The first petitioner, namely, Sreeram Rajasekar @ K.R.Shriram, is the son of the second petitioner, namely, Mrs.C.Akila.

14.When this Court asked the second petitioner, Mrs.C.Akila, who is present in person before this Court today along with original passbook of the Post Office, Somarasampettai, as to whether she has deposited the aforesaid amount of Rs.15,00,000/- for saving the tax, she submits that she has deposited the aforesaid amount only for the purpose of security and not for saving the tax. She further submits that due to her urgent needs regarding purchase of a land for construction of a house, she wants to withdraw the aforesaid amount of Rs.15,00,000/- and thus, she has moved an application for premature closure of account and for premature withdrawal of the aforesaid amount of Rs.15,00,000/-.



W.P.(MD)No.22863 of 2025

WEB COPY

15. Accordingly, after considering the arguments advanced by the learned counsel for the parties and also considering the fact that due to urgent needs regarding purchase of land for construction of a house, the second petitioner wants to withdraw the aforesaid amount of Rs.15,00,000/- and also considering the fact that the second petitioner, namely, Mrs.C.Akila, has deposited the aforesaid amount only for the purpose of security and not for saving the tax, this Court directs the 3rd respondent/Postmaster, Somarasampetti Post Office (620102), No.23, Rajiv Gandhi Nagar, Kumaravayalur, Tiruchirappalli 620 102, to credit the amount of Rs.15,00,000/- deposited by the second petitioner, Mrs.C.Akila, towards 'Term Deposit' along with interest as applicable, by considering the case as exceptional one in the Savings Account of the second petitioner, Mrs.C.Akila, bearing Savings Ac.No.3177358875 within a period of two weeks from today.

16. The order dated 30.06.2025 passed by the 2nd Respondent is accordingly quashed and modified.



W.P.(MD)No.22863 of 2025

WEB COPY

17.The Writ Petition is **partly allowed**, with the aforesaid directions.

No costs. Consequently, connected Miscellaneous Petitions are closed.

18. Mr.K.Govindarajan, learned Deputy Solicitor General of India for the respondents is directed to inform the third respondent/Postmaster, Somarasampetti Post Office (620102), No.23, Rajiv Gandhi Nagar, Kumaravayalur, Tiruchirappalli 620 102 about this order passed today.

19. Let a copy of this order be given to Mr.K.Govindarajan, learned Deputy Solicitor General of India for necessary compliance and information to the Respondents.

28.08.2025

Index:Yes/No
Web:Yes/No
Speaking/Non Speaking
mm



W.P.(MD)No.22863 of 2025

WEB COPY To:

- 1.The Secretary,
Union of India,
Ministry of Communications,
Dak Bhawan, Sansad Marg,
New Delhi – 110 001.
- 2.Senior Superintendent of Post Offices,
Tiruchirappalli Division,
Tiruchirappalli – 620 001.
- 3.Post Master,
Somarasampettai Post Office (620 102),
No.23, Rajiv Gandhi Nagar,
Kumaravayalur,
Tiruchirappalli – 620 102.



WEB COPY



W.P.(MD)No.22863 of 2025

SHAMIM AHMED, J.

mm

W.P.(MD)No.22863 of 2025

28.08.2025